

**BOARD OF ADJUSTMENT  
OFFICIAL MINUTES  
March 3, 2008**

**Members Present:**

Michael Villyard  
Michael Gallagher  
Liz Victor  
Helen Dutmer  
George Alejos  
Paul Klein  
Mary Rogers  
Andrew Ozuna  
Mimi Moffat  
Gene Camargo

**Staff:**

Fernando De Leon, P.E., Assistant Director  
Ted Murphee, Asst. City Attorney  
Chris Looney, Planning Manager  
Rudy Nino, Senior Planner  
David Arciniega, Planner  
Mike Farber, Planner

**Call to Order**

Pledge of Allegiance to the U.S. and Texas Flags.

Mr. Villyard, Chairman, called the meeting to order and called roll of the applicants for each case.

Mr. Alejos arrived at 10:09 a.m.

**CASE NO. A-08-035**

Applicant – Ismael L. Rodriguez  
Lot 3, NCB 6871  
2131 South Navidad Street  
Zoned: "R-4" Residential Single Family District

The applicant is requesting for a 3-foot, 11-inch variance from the minimum 5-foot side setback required in "R-4" zoning districts, in order to keep an existing carport 1-foot, 1-inch from the south side property line.

Michael Farber, Planner, presented background and staff's recommendation of denial on this case. He indicated 40 notices were mailed, 0 notices were returned in favor and 0 notices were returned in opposition.

Christina Garza, representative, stated the reason for this request is for her father's disability. She also stated all they did was upgrade the carport so it could provide shelter for her disabled father during bad weather. She further stated they only redid the roofing and painted the carport just to maintain the carport.

Ismael Rodriguez, applicant, stated the carport would help shelter his car from the street. He further stated it would be easy access for his to enter his home.

**The following citizen(s) appeared to speak:**

Jimmy Guajardo, spoke in favor.

Ismael Rodriguez Jr., spoke in favor.

Alejandro Rodriguez, spoke in favor.

Everyone present for or against having been heard and the results of the written notices having been received, the Chair declared the public hearing of Case No. A-08-035 closed.

**MOTION**

A motion was made by **Ms. Rogers**. Appeal No. **A-08-035**, variance application for a **3-foot, 11-inch variance from the a 5-foot side setback required in "R-4" zoning districts, in order to keep an existing carport 1-foot, 1-inch from the south side property line**, subject property description **Lot 3, NCB 6871**, located at **2131 South Navidad Street**, the applicant **Ismael Rodriguez**. I move that the Board of Adjustment grant the applicant's request regarding appeal No. **A-08-035** application for a variance for the subject property as described above, because the testimony presented to us, and the facts that we have determined, show that the physical character of this property is such that a literal enforcement of the provisions of the UDC, as amended, would result in an unnecessary hardship. We find that such variance will not be contrary to the public interest in that **it will not alter the overall appearance of the area. It has rain gutters which will allow water to run back onto the owner's property and not next door. Additionally the neighbor does not object.** Due to the special conditions, literal enforcement of the ordinance would result in unnecessary hardship in that **an individual living in the house is handicap and needs access undercover two vehicles.** So that the spirit of the ordinance is observed and substantial justice is done in that **a firewall would be constructed and applicant would comply with firewall regulations.** Such variance will not authorize the operation of a use other than those uses specifically authorized for the districts in which the property for which the variance is sought is located in that **the use of the carport remains the same. It was merely updated, covered, repainted, etc.** Such variance will not substantially or permanently injure the district in which the variance is sought in that **the variance will not have a negative impact on the neighborhood or the surrounding area.** Such variance will not alter the essential character of the district in which the variance is sought in that **the proposed structure is in keeping with the surrounding area and that particular carport is ecstastically acceptable.** Such variance will be in harmony with the spirit and purpose of this chapter in that **the structure is cosmetically finished to blend in with the home and surrounding area.** The plight of the owner of the property for which the variance is sought is due to unique circumstances existing on the property and unique circumstances were not created by the owner of the property, and not merely financial, and are not due to or the result of the general conditions in the district in which the property is sought in that **this is one of those very small**

~~lots platted long ago penalizing future owners. The carport has been there for many years.~~  
~~The owner is handicap and needs the carport. Merely updating and strengthening it does not~~  
~~result negative impact.~~ The variance will not substantially weaken the general purposes of this chapter or the regulations herein established for the specific district in that **the proposed variance will not weaken the overall zoning plan of the area.** The variance will not adversely affect the public health, safety, or welfare of the public in that **the structure does not create a safety or traffic hazard.** The motion seconded by Ms. Dutmer.

**AYES: Rogers, Dutmer, Alejos, Camargo, Klein, Ozuna, Victor, Gallagher**

**NAY: Moffat, Villyard**

**THE VARIANCE WAS NOT GRANTED.**

**The Board members took a 5 minute recess**

**CASE NO. A-08-036**

Applicant – Francisco Tapia

Lot 16, Block 8, NCB 3413

131 Jennings Avenue

Zoned: "R-5" Residential Single-Family District

The applicant is requesting for 1) a complete variance from the requirement that a minimum 20-foot front setback be maintained between the back of a sidewalk or the property line and a front entry garage or carport, in order to keep an existing carport directly on the front property line, and 2) a complete variance from the minimum 5-foot side setback and required in "R-5" zoning districts, in order to keep the same existing carport directly on the side property line.

David Arciniega, Planner, presented background and staff's recommendation of denial of this case. He indicated that there were 31 notices mailed, 1 notice was returned in favor and 1 notice was returned in opposition and no response from Palm Heights Neighborhood Association.

Luis De Los Santos, representative, stated the owner relied on the knowledge of a person who issued him the permit. He further stated that the person who issued him the permit did not indicate on there that the certain setbacks were required.

**No citizens to speak.**

Everyone present for or against having been heard and the results of the written notices having been received, the Chair declared the public hearing of Case No. A-08-036 closed.

**MOTION**

**THE MOTION FAILED DUE TO LACK OF MOTION**

**THE VARIANCE WAS NOT GRANTED****CASE NO. A-08-037**

Applicant – Richard and Pamela O'Bryant  
Lot 1, Block 3, NCB 2968  
401 Cedar Street  
Zoned: "H RM-4" Historic Residential Mixed District.

The applicant is requesting for a 13-foot, 11-inch variance from the Unified Development Code requirement that a minimum 20-foot front setback be maintained for front entry garage or carports, in order to construct garage/carport 6-feet, 1-inch from front property line.

Mike Farber, Planner, presented background and staff's recommendation of approval of this case. He indicated that there were 28 notices mailed, 0 notices were returned in favor and 0 notices were returned in opposition and no response from King William Neighborhood Association.

Richard O'Bryant, owner, stated he wanted the second story to the garage because of the value it would add to the house.

**No citizens to speak.**

Everyone present for or against having been heard and the results of the written notices having been received, the Chair declared the public hearing of Case No. A-08-037 closed.

**MOTION**

A motion was made **Mr. Gallagher**. Reference Appeal Case No. **A-08-037**, a variance on subject property located on **401 Cedar Drive, Lot 1, Block 3, NCB 2968**, zoning being **"H RM-4" Historic Residential Mixed District**, the request being **a 13-foot, 11-inch variance from the Unified Development Code requirement that a minimum 20-foot front setback be maintained for front entry garage or carports, in order to construct a garage/carport 6-feet, 1-inch from front property line**, the applicant being **Richard and Pamela O'Bryant**. I move that the Board of Adjustment grant the applicants request regarding Appeal No. **A-08-037**, application for a variance to the subject property as described above, because the testimony presented to us, and the facts that we have determined, show that the physical character of this property is such that a literal enforcement of the provisions of the Unified Development Code, as amended, would result in an unnecessary hardship. Specifically, we find that such variance will not be contrary to the public interest in that **it appears that the garage could not reasonably meet the setback requirement for a front entry garage due to the unique shape of the subject property**. Due to the special conditions, a literal enforcement of the ordinance would result in unnecessary hardship **in that this lot appears to be characterized by unique terrain features where literal enforcement of the front setback requirement would result in this necessary hardship**. So that the spirit of the ordinance is observed and substantial justice is done in that **no other changes to the land are sought by this applicant**. Such variance will not

authorize the operation of a use other than those uses specifically authorized for the districts in which the property for which the variance is sought is located in that **there is no other changes right now submitted to be presented on this property.** Such variance will not substantially or permanently injure the district in which that variance is sought in that **it was reviewed by the Historic Design Review Committee and found to be in accordance with their requirements.** Such variance will not alter the essential character of the districts in which the variance is sought and such variance will be in harmony with the spirit and purpose of this chapter in that **the staff has recommended approval of this requested variance.** The plight of the property owner for which the variance is sought is due to unique circumstances existing on the property and not personal in nature or self-created and not merely financial and are not due to or the result of the general conditions in the district in which the property is located in that **after careful review of the facts it has been determined that because of the odd nature of this lot this appears to be the only solution available to the property owner.** The variance will not substantially weaken the general purposes of this chapter of the regulations herein established for the specified district in that **this is a specific variance for this specific property only.** The variance will not adversely affect the public health, safety or welfare of the public in that **no traffic, pedestrian, or other safety concerns seem to be apparent by passing this variance.** The motion was seconded by Mrs. Dutmer.

**AYES: Gallagher, Dutmer, Victor, Alejos, Camargo, Ozuna, Klein, Moffat, Rogers, Villyard**

**NAYS: None**

**THE VARIANCE WAS GRANTED.**

**CASE NO. A-08-038**

Applicant – Rene Lopez  
Lot 7, NCB 9724  
2038 Basse Road  
Zoned: "C-2" Commercial District.

The applicant is requesting for a 25-foot variance from the minimum 30-foot rear setback in "C-2" zoning districts when abutting residential uses or residential zoning districts, in order to build a structure 5 feet from the rear property line.

David Arciniega, Planner, presented background and staff's recommendation of approval of this case. He indicated that there were 14 notices mailed, 2 notices were returned in favor and 0 notices were returned in opposition and no response from Northwest Los Angeles Heights Neighborhood Association.

Rene Lopez, applicant, stated the purpose of this request is to improve the quality of the area and to increase business and interest around the area. He further stated he wanted to alleviate congestion and traffic by adding additional parking. He also stated the new development would keep the transients away from the area.

**The following citizen(s) appeared to speak:**

Marie Ramos, spoke in favor.

Everyone present for or against having been heard and the results of the written notices having been received, the Chair declared the public hearing of Case No. A-08-038 closed.

**MOTION**

A motion was made **Mr. Ozuna**. Regarding Appeal No. **A-08-038**, a variance application for **Mr. Rene Lopez**, subject property description **Lot 7, NCB 9724**, located at **2038 Basse Road**, and the applicant is **Mr. Rene Lopez**. The motion is for a **25-foot variance from the minimum 30-foot rear setback required in "C-2" zoning districts when abutting residential uses or residential zoning districts, in order to build a structure 5 feet from the rear property line**. I move that the Board of Adjustment grant the applicants request regarding Appeal No. **A-08-038**, application for a variance to the subject property as described above, because the testimony presented to us, and the facts that we have determined, show that the physical character of this property is such that a literal enforcement of the provisions of the Unified Development Code, as amended, would result in an unnecessary hardship. Specifically, we find that such variance will not be contrary to the public interest in that **the applicant has the neighborhood support, has staff support, and we saw from city presentation that there is two votes in favor and none in opposition**. Due to the special conditions, a literal enforcement of the ordinance would result in unnecessary hardship **in that a number of easements criss-cross the property which make the property basically unbuildable if not for the setback**. In addition the 30-foot setback requirement is required only because of the zoning of the adjoining vacant land is residential zoning but in effect it is basically an open soccer field which would more than likely always be used for a soccer fields and not have the encroachment of residential structures right next to the property line. So that the spirit of the ordinance is observed and substantial justice is done in that **again the lot is unbuildable due to current conditions due to the easements that criss-cross the property**. Such variance will not authorize the operation of a use other than those uses specifically authorized for the districts in which the property for which the variance is sought is located in that **the existing "C-2" zoning will remain no variance to the zoning is being considered with this variance request**. Such variance will not substantially or permanently injure the district in which that variance is sought in that **again the existing "C-2" zoning is to remain and the additional parking over and above what is required is a minimum will be constructed on the property by the applicant which would increase the on sight parking for the project**. Such variance will not alter the essential character of the districts in which the variance is sought in that **again we have staff support of the project, neighborhood support, and the adjoining property owners have all supported the project**. The plight of the property owner for which the variance is sought is due to unique circumstances existing on the property and not personal in nature or self-created and not merely financial and are not due to or the result of the general conditions in the district in which the property is located in that **again we have shown the plot of the property with easements criss-cross and the adjoining residential zoning on the property which the use of the property is more of an open soccer field which would create the buffer for which the ordinance is for**. The variance will not substantially weaken the general purposes of this

chapter of the regulations herein established for the specified district in that **no land use changes are being proposed with the variance.** The variance will not adversely affect the public health, safety or welfare of the public in that **the proposed buildings will be constructed according to all building codes including fires codes as required by the city.** The motion was seconded by Mr. Camargo.

**AYES: Ozuna, Camargo, Moffat, Victor, Alejos, Dutmer, Rogers, Klein, Gallagher, Villyard**

**NAYS: None**

**THE VARIANCE WAS GRANTED.**

**CASE NO. A-08-039**

Applicant – Aurelio Lira, Jr.  
Lot 23, Block 19, NCB 10255  
471 Ferris Avenue  
Zoned: “R-4” Residential Single Family District.

The applicant is requesting for 1) a 16-foot variance from the requirement that a minimum 20-foot front setback be maintained for front entry carports, in order to keep an existing carport 4 feet from front property line, 2) a 3-foot variance from the minimum 5-foot side setback required in “R-4” zoning districts, in order to keep the same carport 2 feet from the side property line, and 3) a 6-foot variance from the requirement that predominantly open fences in front yards be no taller than 4 feet, in order to keep an existing 8-foot, 6-inch tall predominantly open fences with a 10-foot tall driveway gate in the front yard..

David Arciniega, Planner, presented background and staff’s recommendation of denial of this case. He indicated that there were 40 notices mailed, 0 notices were returned in favor and 0 notices were returned in opposition.

Aurelio Lira, Jr., applicant, stated the purpose of this request is to shelter his parents RV from the weather. He further stated the purpose of the fence is to improve the appearance of the neighborhood.

**No citizens to speak.**

Everyone present for or against having been heard and the results of the written notices having been received, the Chair declared the public hearing of Case No. A-08-039 closed.

**MOTION**

**THE MOTION FAILED DUE TO LACK OF MOTION**

**THE VARIANCE WAS NOT GRANTED.**

**Board members recessed for lunch.**

**CASE NO. A-08-041**

Applicant – William Hodge  
Lot 3, Block 35, NCB 1333  
1613 Burnet Street  
Zoned: “MF-33” Multi-Family District.

The applicant is requesting for 1) a Special Exception to relocate a residential structure from 1414 Gorman Street to 1613 Burnet Street, 2) a 3-foot, 6-inch variance from the Unified Development Code requirement that a minimum 5-foot side setback be maintained in “MF-33” districts to keep a residential structure 1-foot, 6-inches from the side property lines.

Michael Farber, Planner, presented background and staff’s recommendation of denial of both variances. He indicated that there were 34 notices mailed, 1 returned in favor and 0 returned in opposition.

Barbara Favor, representative, stated she thought the lot was big enough to fit the house, but realized when she came to city to pull permits the house did not fit on the lot. She also stated she is willing to turn the house clounter clockwise so she will not have to ask for a variance for the setback. She further stated the applicant has started making improvements to house with the appropriate permits to make its appearance acceptable.

**No citizens to speak.**

Everyone present for or against having been heard and the results of the written notices having been received, the Chair declared the public hearing of Case No. A-08-041 closed.

**MOTION**

A motion was made **Mr. Ozuna**. I would like to move that in Case No. **A-08-041**, a request of **William Hodge**, on property known as **Lot 3, Block 35, NCB 1333**, also known as **1613 Burnet Street**, property being currently zoned “**MF-33**” **Multi-Family District**, be granted an Exception to relocate the structure that has been identified in this case in a manner in which looking at the front of the structure is rotated counter clockwise with the gable facing the front of the street and that in this members opinion the appearance of that structure will be more compatible in appearance with the other structures that have been shown to us by city staff and will also allow the applicant to comply with the setback requirements. The special exception will be in harmony with the spirit and purpose of this chapter in that the code allows for an applicant to come before the Board of Adjustment to receive or request a special exception to relocate structures from one location to another and it is a decision that the board needs to make on each and every structure to whether it fits into the neighborhood. That as a matter of fact you can build on empty lot in any part of the city other than Historic District let me take that back if any design which may in

~~some cases not fit the rest of the neighborhood. So in this particular case what I am getting~~ at is that in my opinion by rotating the structure to fit the lot that it would be compatible with the photographs that we have been show by staff. The public welfare and convenience will be substantially served in that a piece of property that has been laid vacant for a number of years will be improved and placed on the tax roll and contributed to the neighborhood. The neighboring property will not be substantially injured by such proposed use in that the applicant has submitted a plan of, I want to say plan of development, but plan of improvements that will be made to the structure to bring it into compliance with city codes with the timeframe that is stated in the code in that being a period of ninety days. The special exception will not alter the essential character of the district and location in which the property for which the special exception is sought in that it appears that the structure is of similar age and characteristic design with adjacent properties. The special exception will not weaken the general purpose of the district or the regulations herein established for the specific district in that all the appropriate permits should be pulled and necessary inspections made to insure that this structure is brought up to city standards. The motion was seconded by Mr. Gallagher.

AYES: Camargo, Gallagher, Moffat, Alejos, Ozuna, Victor, Klein, Rogers, Villyard, Dutmer

NAYS: None

THE VARIANCE WAS GRANTED.

#### CASE NO. A-08-042

Applicant – Norma and Manuel Guerrero  
Lot 10 B, Block 3, NCB 2191  
1509 Leal Street  
Zoned: "MF-33" Multi-Family District.

The applicant is requesting for a 1-foot, 11-inch variance from the Unified Development Code requirement that a minimum 5-foot side setback be maintained for secondary residences, in order to keep the same structure 3-feet, 1-inch from the side property line.

Michael Farber, Planner, presented background and staff's recommendation of denial of this case. He indicated that there were 22 notices mailed, 2 notices were returned in favor and 0 notices were returned in opposition and no response from Prospect Hill Neighborhood Association.

Manuel Guerrero, applicant, stated his construction was stopped by an inspector. He further stated he constructed the second floor thinking there was going to be no problems since the first floor was already there. He also stated the only wrong thing he did was not pull permit. His main structure is too small and the second story was going to be for one of his sons.

Norma Guerrero, applicant, stated she did not know she had to pull permits to construct the second story.

**No citizens to speak.**

Everyone present for or against having been heard and the results of the written notices having been received, the Chair declared the public hearing of Case No. A-08-042 closed.

**MOTION**

A motion was made **Mr. Klein**. Re. Appeal Case No. **A-08-042**; this a variance application of **Norma & Manuel Guerrero**, the request is for a **1-foot, 11-inch variance from the Unified Development Code requirement that a minimum 5-foot side setback be maintained for secondary residences, in order to keep the same secondary residence structure 3-feet, 1-inch from the side property line**, legal description **Lot 10 B, Block 3, NCB 2191**, also known as **1509 Leal Street**, the zoning is **"MF-33" Multi-Family District**. I move that the Board of Adjustment grant the applicants request in this case for a variance to the subject property as described above, because the testimony presented to us, and the facts that we have determined, show that the physical character of this property is such that a literal enforcement of the provisions of the Unified Development Code, as amended, would result in an unnecessary hardship. Specifically, we find that such variance will not be contrary to the public interest in that **a secondary residence is permitted in "MF-33" Multi-Family District zoning**. Due to the special conditions, a literal enforcement of the ordinance would result in unnecessary hardship in that **this is a narrow lot, I believe that it is 40 feet wide perhaps, none the less is a narrow lot in an older subdivision and tighter setbacks were maintained years ago prior to zoning changes**. So that the spirit of the ordinance is observed and substantial justice is done in that **no other changes to the land are sought by the applicant under this variance request**. Such variance will not authorize the operation of a use other than those uses specifically authorized for the districts in which the property for which the variance is sought is located in that **there is no proposed change of use presented for the use of the property. It will remain residential which is in conformance with "MF-33" Multi-Family District**. Such variance will not substantially or permanently injure the district in which that variance is sought in that **the proposed structure is located towards the very rear of the lot which abuts an alley as well as the side property line of a neighbor's rear yard. The adjacent neighbor most closely affected, the residence for that neighbor is to the front of the lot**. Such variance will not alter the essential character of the districts in which the variance is sought in that **this is a proposed garage structure with living structure up above which does conform with residential zoning**. Such variance will be in harmony with the spirit and purpose of this chapter in that **the proposed building as shown in the slide today does exhibit a truly residential appearance which is in conformity with the neighborhood**. The plight of the property owner for which the variance is sought is due to unique circumstances existing on the property and not personal in nature or self-created, and not merely financial, and are not due to or the result of the general conditions in the district in which the property is located in that **this was an existing structure which the owner proposes to improve by adding living space up above**. The variance will not substantially weaken the general purposes of this chapter of the regulations herein established for the specified district in that **this is a specific variance for this specific property**. The variance will not adversely affect the public health, safety or welfare of the public in that **no**

~~traffic or other safety concerns are involved and all necessary building permits will be pulled to complete the structure.~~ The motion was seconded by Mrs. Dutmer.

**AYES: Klein, Alejos, Camargo, Ozuna, Gallagher, Dutmer**

**NAYS: Moffat, Victor, Rogers, Villyard**

**THE VARIANCE WAS NOT GRANTED.**

#### **CASE NO. A-08-043**

Applicant – George & Catherine Cisneros  
Lot 5 and the west 33.33 feet of Lot 4, Block 6, NCB 2298  
1918 West Houston Street  
Zoned: “MF-33” Multi-Family District

The applicant is requesting for a 1-foot, 6-inch variance from the requirement that predominantly open fences in front yards be no taller than 4 feet, in order to keep an existing 5-foot tall predominantly open fence with a 5-foot, 6-inch tall gate post in the front yard.

David Arciniega, Planner, presented background and staff’s recommendation of approval on this case. He indicated 28 notices were mailed, 4 notices were returned in favor and 0 notices were returned in opposition and no response from Prospect Hill Neighborhood Association.

George Cisneros, applicant, stated he hired Lara’s Fence Co. and he said the code said that he did not need a permit if it was less than one-third of the fence. He further stated the contractor told him the area was grandfathered and he was able to build a 5-foot fence.

Catherine Cisneros, applicant, stated she thought this would improve the appearance of the neighborhood. She further stated they did not intend to be out of compliance.

**No citizens to speak.**

Everyone present for or against having been heard and the results of the written notices having been received, the Chair declared the public hearing of Case No. A-08-043 closed.

#### **MOTION**

A motion was made **Mr. Gallagher**. Reference Appeal Case No. **A-08-043**, variance application for a **1-foot, 6-inch variance from the requirement that predominantly open fences in front yards be no taller than 4 feet, in order to keep an existing 5-foot tall predominantly open fence with a 5-foot, 6-inch tall gate post in the front yard**, the legal description being **Lot 5 and the west 33.33 feet of Lot 4, Block 6, NCB 2298**, the address being **1918 West Houston Street**, the owner being **George & Catherine Cisneros**. I move that the Board of Adjustment grant the applicants request regarding Appeal No **A-08-043**, application for a variance to the subject property as described above, because the testimony presented to us, and

the facts that we have determined, show that the physical character of this property is such that literal enforcement of the provisions of the Unified Development Code, as amended, would result in an unnecessary hardship. Specifically we find that such variance will not be contrary to the public interest in that **we have looked at other fences in the neighborhood and they seem quite similar.** Due to the special conditions a literal enforcement of the ordinance would result in unnecessary hardship in that **expense has gone to put this fence up and we have since learned through the evidence presented to us that the cost of trying to repair it now would more than or at least the same cost as the original fence.** So that the spirit of the ordinance is observed and substantial justice is done in that **the person seeking this request has asked for no other changes to the land and has not sought by the applicant.** Such variance will not authorize the operation of a use other than those uses specifically authorized for the districts in which the property for which the variance is sought is located in that **there is no change presented to the use of this property by this variance.** Such variance will not substantially or permanently injure the district in which that variance is sought in that **it actually represents an improvement to what was there before.** Such variance will not alter the essential character of the districts in which the variance is sought in that **appears that it has actually put back into a more historical view than it was before.** Such variance will be in harmony with the spirit and purpose of this chapter in that **it seems to represent an improvement to the neighborhood.** The plight of the property owner for which the variance is sought is due to unique circumstances existing on the property and not personal in nature or self-created, and not merely financial, and are not due to or the result of the general conditions in the district in which the property is located in that **looking at this specific property and topography it is actually quite a variation in the height of the fence that is described.** The variance will not substantially weaken the general purposes of this chapter of the regulations herein established for the specified district in that **this is a specific variance for this specific property only.** The variance will not adversely affect the public health, safety or welfare of the public in that **no traffic, pedestrian, or other safety concerns seem to be involved.** The motion was seconded by Mr. Camargo.

AYES: Gallagher, Camargo, Moffat, Dutmer, Ozuna, Victor, Alejos, Rogers, Klein, Villyard

NAYS: None

**THE VARIANCE WAS GRANTED.**

**Sign Master Plan No. 08-006**

David Simpson, Chief Sign Inspector, briefed Board Members on Sign Master Plan for Military Center, located at Loop 410 and West Military.

Sign Master Plan No. 08-006 was voted on and approved with all members voted in affirmative and Mr. Ozuna recused himself.

**Sign Master Plan No. 08-007**

David Simpson, Chief Sign Inspector, briefed Board Members on Sign Master Plan for A-AAA Key Mini Storage, located at Loop 1604 and West Military.

Sign Master Plan No. 08-007 was voted on and approved with all members voted in affirmative.

### **Approval of the Minutes**

Ms. Camargo made a motion to disapprove February 4, 2008 minutes and was seconded by Mr. Vallone and all members voted in the affirmative.

### **Staff Report**

Mr. Nino stated they can prepare a resolution for the board to motions. He also stated there are 7 cases scheduled for consideration on March 17, 2008 and would like to propose that March 17, 2008 meeting begin at 10 am.

Ms. Dutmer made a motion to begin March 17, 2008 at 1 pm and all members voted in affirmative.

Mr. Nino also stated David Arciniega will leaving Development Services.

There being no further discussion, meeting adjourned at 3:45 pm.

AS AMENDED

APPROVED BY: \_\_\_\_\_

D. Mike Villyard, Chairman

OR

Michael R. Gallagher  
Michael Gallagher, Vice-Chair

DATE: \_\_\_\_\_

March 17, 2008

ATTESTED BY: \_\_\_\_\_

Christopher J. Looney  
Christopher J. Looney  
Development Services  
Planning Manager

DATE: \_\_\_\_\_

3-17-08